

United States District Court

MIDDLE

District of

TENNESSEE

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

ALASTIS BILBREY

Case Number: 2:06-00006-01

USM Number: 17677-075

SUMTER L. CAMP

Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to Counts One and Two of the Indictment

_____ pleaded nolo contendere to count(s) _____
which was accepted by the court.

_____ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Concluded</u>	<u>Count</u>
18 U.S.C. § 844(e)	Making False Bomb Threat by Telephone	05/04/04	1
		05/08/04	2

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

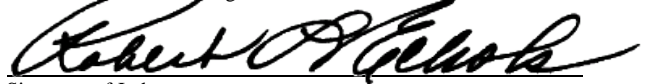
_____ The defendant has been found not guilty on count(s) _____

_____ Count(s) _____ is/are dismissed on the motion of the United States.

It is ordered that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in economic circumstances.

June 14, 2007

Date of Imposition of Judgment



Signature of Judge

Robert L. Echols, U.S. District Judge

Name and Title of Judge

August 31, 2007

Date

DEFENDANT: ALASTIS BILBREY
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PROBATION

Pursuant to § 5C1.1(b) of the Sentencing Guidelines, the defendant is hereby sentenced to probation for a term of three (3) years with the first six (6) months of probation being served in home detention on each of Counts One and Two of the Indictment, with such terms to be served concurrently. The term of home detention shall be included within the term of probation imposed by the Court (see Special Conditions of Supervised Release for the terms of home detention).

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.

_____ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

 X The defendant shall not possess a firearm, destructive device, or any other dangerous weapon (Check, if applicable.)

 X The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

_____ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

_____ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments page of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as the Special Conditions of Supervision on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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SPECIAL CONDITIONS OF SUPERVISION

1. The Defendant shall pay restitution in the amount of **\$55,316** payable to the victim. Payments shall be submitted to the Clerk, United States District Court, 801 Broadway, Room 800, Nashville, Tennessee 37203. Restitution is due immediately, and shall be paid in monthly installments in the amount of \$5.50 per month. No interest shall accrue as long as Defendant remains in compliance with the payment schedule ordered. Pursuant to 18 U.S.C. § 3664(k), the Defendant shall notify the Court and United States Attorney of any material change in economic circumstances that might affect ability to pay.
2. The Defendant shall participate in and successfully complete a program of home detention. The Defendant shall abide by all rules and requirements as directed by the U.S. Probation Office. The Defendant is restricted to his residence at all times except for special activities approved in advance by the U.S. Probation Officer, such as employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the U.S. Probation Officer. Unless specifically approved, Defendant shall remain at home between the hours of 8:00 p.m. and 6:00 a.m. The Defendant shall furnish any documentation as requested which supports or verifies any leave from her residence.
3. The Defendant shall participate in a mental health program as directed by the Probation Officer. The Defendant shall pay all or part of the cost for mental health treatment if the Probation Officer determines the Defendant has the financial ability to do so or has appropriate insurance coverage to pay for such treatment.
4. The Defendant shall provide the U.S. Probation Office access to any requested financial information.
5. The Defendant shall cooperate in the collection of DNA as directed by the Probation Officer.
6. The Defendant is prohibited from owning, carrying or possessing firearms, destructive devices, or other dangerous weapons.

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on the attached page.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$200	\$	\$55,316

_____ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

 X The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(I), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Verizon Wireless Company Attn: Richard Alley – Corporate Security 1 Verizon Place Alpharetta, GA 30024 (Reference: Alastis M. Bilbrey)	\$55,316	\$55,316	

TOTALS	<u>\$55,316</u>	<u>\$55,316</u>
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_____ Restitution amount ordered pursuant to plea agreement \$_____

_____ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments page, may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

 X The court determined that the defendant does not have the ability to pay interest and it is ordered that:

 X the interest requirement is waived for the _____ fine X restitution, as long as Defendant remains in compliance with the plea agreement..

_____ the interest requirement for the _____ fine _____ restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A X Lump sum payment of \$ 55,516 (special assessment and restitution) due immediately, balance due
 not later than , or
 X in accordance C, D, E, or X F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of
 (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this
judgment; or
- D Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of
 (e.g., months or years), to commence (e.g., 30 or 60 days) after release from
imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release
from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at
that time; or
- F X Special instructions regarding the payment of criminal monetary penalties:

Restitution is due in full immediately. Should there be an unpaid balance upon the commencement of the term of probation, payments may be made as follows:

Restitution in the amount \$5.50 per month
Special Assessment in the amount \$2.00 per month

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

 Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

 The defendant shall pay the cost of prosecution.

 The defendant shall pay the following court cost(s):

 The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including the cost of prosecution and court costs.